

BILL NO. 2-72-07 -16

ZONING ORDINANCE NO. 2- Last

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

*OK'd
D. J. Blum*
SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-17 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Property is located in the County of Allen,
State of Indiana and identified or described
as follows:

Part of the West half of the Northwest quarter
of Section 20, Township 31 North, Range 13 East,
Allen County, Indiana, more particularly described
as follows:

Beginning at a point on the North line of the
Northwest quarter of Section 20, Township 31
North, Range 13 East, Allen County, Indiana,
said point being situated 238.7 feet West of the
Northeast corner of the West half of the Northwest
quarter of said Section 20-31-13; thence South 00
degrees 10 minutes East, parallel to the East line
of the West half of the Northwest quarter of Section
20-31-13, a distance of 170.0 feet to a point;
thence South 90 degrees 00 minutes West, parallel
to the North line of the Northwest quarter of
Section 20-31-13; a distance of 150.0 feet to a
point; thence North 00 degrees 10 minutes West,
parallel to the East line of the West half of the
Northwest quarter of Section 20-31-13, a distance
of 170.0 feet to a point, on the North line of the
Northwest quarter of Section 20-31-13; thence North
90 degrees 00 minutes East, along the aforesaid
North line of the Northwest quarter of Section
20-31-13, a distance of 150.0 feet to the point of
beginning.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage and approval by the Mayor and
legal publication thereof.

Handwritten signature

Eugene Kraus
Councilman

*Approved as to form and legality,
Dolph A. Blum, Associate City Attorney*

Read the first time in full and on motion by Kraus seconded by
V. Schmidt and duly adopted, read the second time by title and
referred to the Committee on Regulations (and to the
City Plan Commission for recommendation) (and Public Hearing to be held after due legal
notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on
the _____ day of _____, 19____, at _____ o'clock
P.M., E.S.T.

Date: July 25, 1972 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus
seconded by V. Schmidt and duly adopted, placed on its passage.
~~Passed~~ (LOST) by the following vote:

	AYES <u>0</u>	NAYS <u>9</u>	ABSTAINED _____	ABSENT _____ to-wit:
Burns	_____	<u>✓</u>	_____	_____
Hinga	_____	<u>✓</u>	_____	_____
Kraus	_____	<u>✓</u>	_____	_____
Nuckols	_____	<u>✓</u>	_____	_____
Moses	_____	<u>✓</u>	_____	_____
Schmidt, D.	_____	<u>✓</u>	_____	_____
Schmidt, V.	_____	<u>✓</u>	_____	_____
Stier	_____	<u>✓</u>	_____	_____
Talarico	_____	<u>✓</u>	_____	_____

Date 10-24-72 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning
Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Last
on the _____ day of _____, 19____.

ATTEST: (SEAL)
Charles W. Westerman John Nuckols
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of
_____, 19____-at the hour of _____ o'clock _____ M., E.S.T.

Approved and signed by me this _____ day of _____, 197____
at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 25, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-07-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

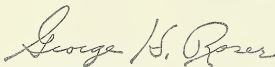
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 18, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 25, 1972.

Certified and signed this
5th day of October, 1972.



George Roser
Secretary

Bill No. Z-72-07-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. F-17

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do Not PASS.

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

CONCURRED IN
DATE 10-24-72 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

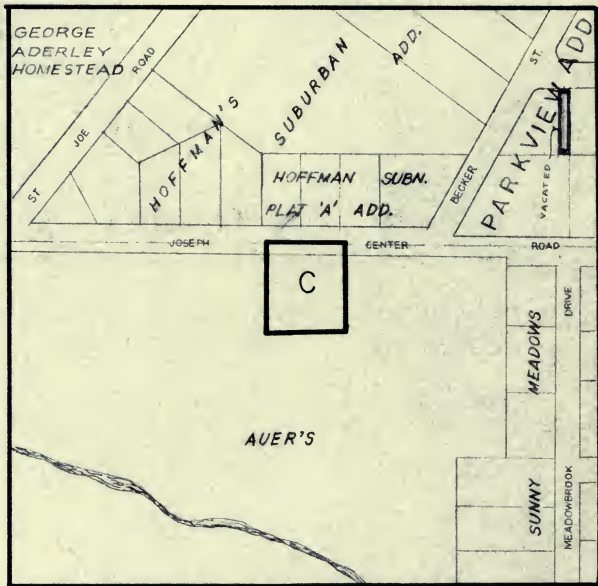
No 146

GENERAL FUND

FT. WAYNE, IND., June 21 19 72RECEIVED FROM Philip Terrill \$ 50.00THE SUM OF Fifty Dollars $\frac{00}{100}$ DOLLARSON ACCOUNT OF Pt of W $\frac{1}{2}$ of N.W. $\frac{1}{4}$ of Sec 20 T14N, R13E
St Joe Center Rd East of St Joe Road.Verna Freeze

AUTHORIZED SIGNATURE

2-72-07-16

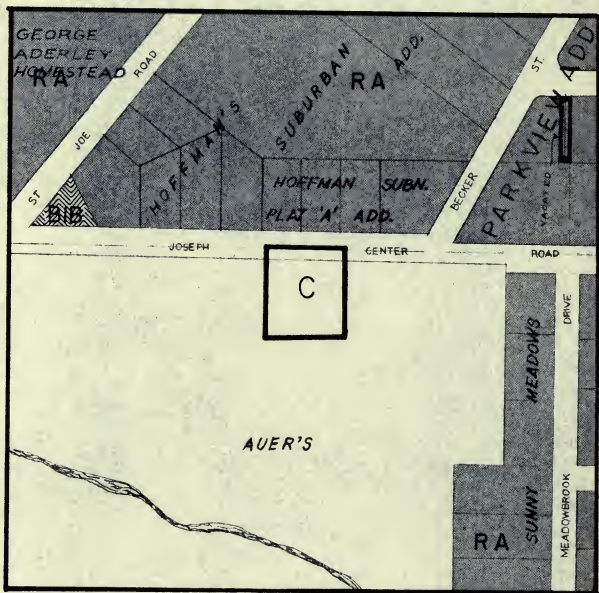


C CHANGE FROM RA TO B3B

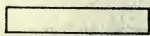


Part of W 1/2, of N.W. 1/4 of Sec. 20, T4P. 31 N., R. 13 E.
St. Joe Center Road, east of St. Joe Road

N

2-72-07-16

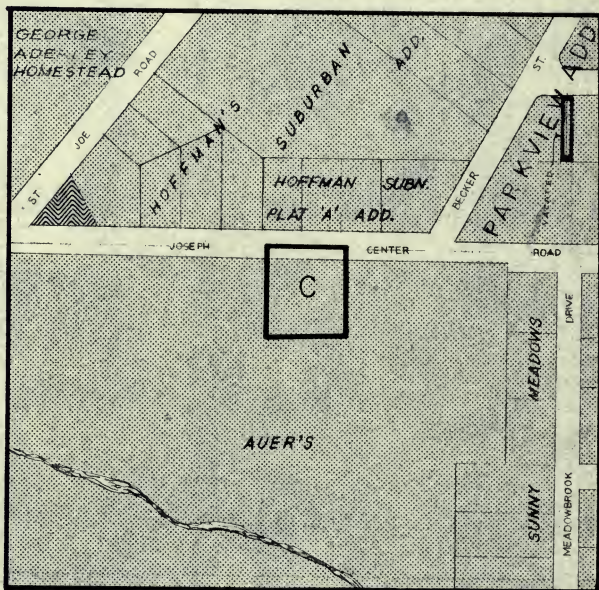


EXISTING LAND USE MAP

-  - VACANT LAND
-  - LIMITED BUSINESS B
-  - RESIDENCE A

N

2-72-07, 16



PROPOSED LAND USE MAP



- LIMITED BUSINESS B



- ONE FAMILY RESIDENCE

N

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

July 12, 1972

Mr. Ralph Blume
344 Utility Building
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on June 21, 1972.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

Roger L. Smith
Roger L. Smith
Draftsman

RLS:pr

Mail tax duplicates to: DREIBELBISS ABSTRACT OF TITLE COMPANY, INC.
1815 East Wayne
Fort Wayne, Ind.

WARRANTY DEED

Book 733 Page 527 21158

This indenture witnesseth that TIMOTHY J. BOYCE AND JUDITH M. BOYCE, husband and wife and over the age of twenty-one (21) years

of Allen County in the State of Indiana

Conveys and warrants to LASSUS BROS. OIL, INC., and Indiana Corporation

of Allen County in the State of Indiana
for and in consideration of ONE DOLLAR (\$1.00) and other valuable consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

Property is located in the County of Allen, State of Indiana and identified or described as follows:

Part of the West half of the Northwest quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the North line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana, said point being situated 238.7 feet West of the North-east corner of the West half of the Northwest quarter of said Section 20-31-13; thence South 00 degrees 10 minutes East, parallel to the East line of the West half of the Northwest quarter of Section 20-31-13, a distance of 170.0 feet to a point; thence South 90 degrees 00 minutes West, parallel to the North line of the Northwest quarter of Section 20-31-13; a distance of 150.0 feet to a point; thence North 00 degrees 10 minutes West, parallel to the East line of the West half of the Northwest quarter of Section 20-31-13, a distance of 170.0 feet to a point on the North line of the Northwest quarter of Section 20-31-13; thence North 90 degrees 00 minutes East, along the aforesaid North line of the Northwest quarter of Section 20-31-13, a distance of 150.0 feet to the point of beginning.

Subject to the 1968 taxes due and payable in 1969 and all subsequent taxes and assessments.

State of Indiana, Allen County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 10th day of October 19 69 personally appeared:

Timothy J. Boyce and Judith M. Boyce,
Timothy J. Boyce and Judith M. Boyce,
husband and wife and over the age of
twenty-one (21) years

REAL ESTATE TRANSFER
VALUATION AFFIDAVIT FILED

Walter H. Summers
AUDITOR, ALLEN COUNTY

And acknowledged, the execution of the foregoing deed, in witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires August 2, 1971

William E. Harris
Notary Public
(William E. Harris)

Dated this 10th Day of October 1969

Timothy J. Boyce Seal

Timothy J. Boyce Seal

Judith M. Boyce Seal

Judith M. Boyce Seal

Judith M. Boyce Seal

Judith M. Boyce Seal

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Judith M. Boyce Seal

Judith M. Boyce Seal

DULY FILED FOR TAXATION

OCT 14 1969

Walter H. Summers
AUDITOR OF ALLEN COUNTY

EXHIBIT "A"

WILLIAM E. HARRIS, ATTORNEY

Instrument C 6468

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE

Date Filed _____

CITY OF FORT WAYNE, INDIANA

Intended Use _____

X/We Lassus Bros. Oil, Inc., an Indiana corporation

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an E-2 Shopping District to a/an B-1 B or an appropriate District the property described as follows: center classification for gaso-

See attached Warranty Deed and legal description

line service station

(See Exhibit A)

(Legal Description)

Space lying South of St. Joseph Center Road between Becker Street and St. Joe Road.

(General Description for Planning Staff Use Only)

X/We, the undersigned, certify that we are the owner(s) of 100% of all percentum (51%) or more of the property described in this petition.

LASSUS BROS. OIL, INC. 1815 E. Wayne St.

BY: Jon F. Lassus, President

Ft. Wayne, Indiana

Elmer F. Lassus, Secretary

(Name)

(Address)

(Signature)

Legal Description Checked By: C. Duane Embury

(City Engineer)

July 8, 1972

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Philip R. Terrill

1700 Lincoln Bank Tower
Fort Wayne, Indiana

743-3305

(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

PETITION

TO: City Plan Commission

City of Fort Wayne

Bill Z-72-07-16

RE: A parcel of ground containing .58 acres of land located on the south side of St. Joe Center Road approximately 435 feet west of Meadowbrook Drive.

Gentlemen:

We the undersigned residents and property owners of Somerset Acres East hereby request that you deny the application to rezone the above captioned real estate from RA to B3B:

NAME

ADDRESS

St. Lawrence

4921 Chaucer Rd.

Mrs. June O'Rourke

4921 Chaucer Rd.

Robert O. Dornier

4909 Chaucer Dr.

Mr. Robt. Dornier

4909 Chaucer Dr.

Edith K. Keltz

5009 Chaucer Rd.

Edith K. Keltz

5021 Chaucer Road

Ruth Hunt

5021 Chaucer Road

Mary Ann Tector

5035 Chaucer Rd.

Donna Fischer

5334 Corydon Court

Mary Helen Murphy

5324 Corydon Court

Stephen M. O'Reilly

5308 Corydon

James A. Bipler

5220 Corydon Ct.

William M. Bipler

5220 Corydon Ct.

Patricia H. Dumas

5204 Corydon

James E. Dumas

5204 Corydon

Gene Dahm

5216 Corydon Ct.

Joe Dahm

5216 Corydon Ct.

Janice M. Schabel

5022 Middleton Dr.

Opheia Nickemeyer

5009 Middleton Dr.

Carol Nickemeyer

5009 Middleton Dr.

ADDRESS

5102 Hauswold
4926 Millerheim
4819 Mielothin Cr.

4926 Chaucer Rd

4520 Chaucer Rd.
4909 Midlothian Drive

4910 Chaucer Rd.

4925 middle-aged stone

4820 Middleton Dr.

4910 *Midothisia* Ds.

5308 Corydon Ct

5024 Chance rd.